

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TQP DEVELOPMENT, LLC,

Plaintiff,

v.

WELLS FARGO BANK, N.A.,

Defendant.

Civil Action No. 2:12-cv-61-JRG-RSP

CONSOLIDATED

JURY TRIAL DEMANDED

TQP DEVELOPMENT, LLC,

Plaintiff,

v.

**CATALYST CORPORATE FEDERAL
CREDIT UNION, ET AL.,**

Defendants.

Civil Action No. 2:12-cv-258-JRG-RSP

JURY TRIAL DEMANDED

STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE

The plaintiff TQP Development, LLC and defendant Catalyst Corporate Federal Credit Union, pursuant to Fed. R. Civ. P. 41(a)(2), hereby move for an order dismissing the complaint and all claims and counterclaims pending or that could have been brought between them in *TQP Development, LLC v. Catalyst Corporate Federal Credit Union, et al.*, Case No. 2:12-cv-258, WITH PREJUDICE, with each party to bear its own costs, expenses and attorneys' fees.

SO STIPULATED:

Dated: February 15, 2013

Respectfully submitted,

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| <p>By: \s\ Steven N. Williams Steven N. Williams swilliams@mkwpc.com Texas Bar No. 21577625 Robert W. Turner rtturner@mkwpc.com Texas Bar No. 20329000 William Z. Duffy zduffy@mkwpc.com Texas Bar No. 24059697 MCDOLE, KENNEDY & WILLIAMS, PC 1700 Pacific Avenue, Suite 1280 Dallas, Texas 75201 (214) 979-1122 - Telephone (214) 979-1123 – Facsimile</p> <p>Attorney for Defendant CATALYST CORPORATE FEDERAL CREDIT UNION</p> | <p>By: \s\ <u>Adam S. Hoffman</u> Adam S. Hoffman</p> <p>Marc A. Fenster, CA SB No. 181067 Email: mfenster@raklaw.com Kevin P. Burke, CA SB No. 241972 Email: kburke@raklaw.com Adam S. Hoffman, CA SB No. 218740 Email: ahoffman@raklaw.com Alexander C.D. Giza, CA SB No. 212327 Email: agiza@raklaw.com Russ August & Kabat 12424 Wilshire Boulevard, 12th Floor Los Angeles, CA 90025 Telephone: (310) 826-7474 Facsimile: (310) 826-699</p> <p>Andrew W. Spangler, State Bar No. 24041960 Email: spangler@sfipfirm.com Spangler & Fussell P.C. 208 N. Green St., Suite 300 Longview, TX 75601 Telephone: (903) 753-9300 Facsimile: (903) 553-0403</p> <p>James A. Fussell, III, State Bar No. 2003193 Email: fussell@sfipfirm.com Spangler & Fussell P.C. 211 N. Union Street, Suite 100 Alexandria, VA 22314 Telephone: (903) 753-9300 Facsimile: (903) 553-0403</p> <p>Attorneys for Plaintiff TQP DEVELOPMENT, LLC</p> |
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CRTIFICATE OF SERVICE

I hereby certify that on the 15th day of February, 2013, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, Marshall Division, using the electronic case filing system of the court. The electronic case filing system sent a “Notice of Electronic Filing” to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Adam S. Hoffman
Adam S. Hoffman

CERTIFICATE OF CONFERENCE

I hereby certify that counsel for Plaintiff and Defendant have conferred regarding the foregoing Motion, and Defendant does not oppose the relief sought.

Dated: February 15, 2013

/s/ Adam S. Hoffman
Adam S. Hoffman